

**Before the
Federal Communications Commission
Washington, DC 20554**

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Implementation of the Local Competition)
Provisions in the Telecommunications Act)
of 1996)
)
Interconnection between Local Exchange)
Carriers and Commercial Mobile Radio)
Service Providers)

CC Docket No. 96-98
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
CC Docket No. 96-98

**Comments of
Metromedia Fiber Network Services, Inc.**

Metromedia Fiber Network Services, Inc. ("MFN"), through counsel,
hereby files its comments in the above-captioned proceeding.

I. Introduction

MFN is a facilities-based competitive provider of optical local, exchange access, and interexchange private line services throughout the nation. MFN's business is focused on providing extremely high-bandwidth, fiber optic communications infrastructure, including "dark" fiber, and related services to communications carriers and corporate/ government customers.

MFN presently operates high-bandwidth intra-city fiber optic communications networks in the New York City metropolitan area, the greater Philadelphia area, and in the Dallas Metroplex area. Within the next quarter, MFN expects to operate a similar network in Washington D.C. MFN also has begun engineering and constructing networks in Chicago, San Francisco, and Boston. Within the next two years, MFN plans to complete an expansion into four additional markets including Los Angeles, Seattle, Houston and Atlanta. MFN's planned domestic intra-city

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networks will ultimately encompass approximately 810,000 fiber miles, covering approximately 1,896 route miles. Throughout the Bell Atlantic region, MFN initially plans to deploy facilities to over 100 Bell Atlantic central offices, and anticipates providing transport over its own fiber optic facilities to competitive carriers in those offices in the near future.

MFN also has built or obtained inter-city fiber optic capacity that links certain of its intra-city networks, including a 250 route-mile network from New York City to Washington D.C. MFN also obtained rights for fiber optic capacity with other facilities-providers, creating fiber optic networks linking New York City to Chicago, New York City to Boston, Chicago to Seattle, and Seattle to Portland.

In addition, MFN has entered into a joint venture with a U.K. telecommunications company to connect its New York City network to London. Additionally, MFN has formed a joint venture to construct a high-bandwidth fiber optic network to connect thirteen cities in Germany, and MFN plans to obtain certain additional fiber optic capacity in Western Europe. Upon completion, MFN's network is expected to consist of approximately 1.1 million fiber miles covering approximately 8,930 route miles.

MFN plans to offer competitive dark fiber interoffice transport to competitive local exchange carriers ("CLECs") as part of its product line, and doing so requires that MFN have ready access to incumbent local exchange carrier ("ILEC") central offices. To this end, MFN and Bell Atlantic ("BA") have entered into an industry-first agreement, which enables MFN to establish a new form of optical fiber connectivity within all BA central offices. This new form of connectivity, called

Competitive Alternate Transport Terminal (“CATT”) connectivity, will allow MFN to extend its dark fiber directly to a universally accessible distribution point within all BA central offices, including those that have reached physical space exhaustion, without having to establish physical collocation arrangements. Once implemented, MFN will be able to use these CATT fiber distribution points to provide CLECs a competitive choice for interoffice transport.

MFN believes that its arrangement with BA – if implemented properly – will further develop competition for interoffice transport throughout the BA region. Given the potential of this type of arrangement, MFN respectfully submits that the Commission should adopt CATT connectivity as a “Best Practice” from the BA North and South States that should be provided by all ILECs nation-wide. As explained in the paragraphs that follow, adopting CATT as a Best Practice will further develop competition for transport services throughout the country.

II. The Creation of CATT Connectivity

CATT was created by MFN and BA in order to provide MFN the type of connectivity it needed to build fiber rings that pass through BA central offices without requiring MFN to physically collocate in each central office served. The CATT arrangement permits MFN to pull 432-count fiber optic cables into BA central offices via specified manholes. Individual dark fiber strands can then be distributed on an as-needed basis to collocated CLECs as a competitive alternative to BA interoffice transport. A diagram depicting a CATT arrangement is attached hereto as ***Exhibit A***.

This CATT arrangement is a dramatic new development that greatly expands the ability of competitive transport providers to access their CLEC customers. Under CATT, MFN is freed of the obligation to pull numerous small-capacity fiber optic cables into the central office to connect with each CLEC it wishes to serve. Instead, it can now pull a single high-count fiber cable to serve all of its CLEC customers within the central office from a single point of distribution. By eliminating the need for multiple fiber pulls, the CATT agreement dramatically reduces MFN's cost of accessing the central office, and MFN is able to reduce the price of its offering to its CLEC customers accordingly.

Similarly, CATT allows MFN the ability to connect to all CLECs within a central office, regardless of where they are located. There is no need to establish different methods of connecting to CLECs that may be collocated on different floors of the central office, and there is no distinction between cross-connecting to physically collocated and virtually collocated CLECs. This greatly expands MFN's ability to reach its CLEC customers throughout the central office. In light of the Commission's recent *Collocation Order*,¹ this aspect of the CATT arrangement is particularly important.

Finally, CATT provides for cross-connection at the dark fiber level to any CLEC within the central office. This eliminates the need for MFN to install expensive electronics to convert the dark fiber to an electrical connection. Rather than take the unnecessary step of deriving DS1, DS3, OC3, OC12 or OC48 signals in order to

¹ In the Matter of Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147, *First Report and Order and Further Notice of Proposed Rulemaking*, FCC 99-48 (rel. Mar. 31, 1999) ("*Collocation Order*").

implement a cross-connect, MFN can now provide a “curl” of pure dark fiber cable directly to a collocated CLEC’s equipment. This eliminates the need for MFN to deploy hundreds of thousands of dollars worth of unnecessary electronics within the central office, preserving space available for collocation and eliminating unnecessary points of failure within the MFN and CLEC networks.

Recent actions by the New York Public Service Commission (“NYPSC”) and this Commission have created conditions whereby it became possible for MFN and BA to cooperatively develop the CATT arrangement. Beginning with the “Pre-Filing Statement” established under the sponsorship of the NYPSC, BA took the first steps in New York in establishing dramatic new forms of interconnection that promise to facilitate the growth of competitive local telecommunications services throughout the State.² In addition, this Commission’s recent *Collocation Order* established rules that are intended to reduce the cost and increase the utility of collocation, and established a broad right to establish interconnection arrangements between collocated competitive carriers. The confluence of these events, in concert with good-faith negotiations between MFN and BA, have yielded a means by which MFN can enter BA central offices to provide CLECs with an alternative means of providing competitive interoffice transport to competitive carriers, resulting in the CATT arrangement.

² State of New York Public Service Commission, Proceeding on Motion of the Commission to Examine Methods by which Competitive Local Exchange Carriers Can Obtain and Combine Unbundled Network Elements, Case 98-C-0690, *Opinion and Order Concerning Methods for Network Elements Recombination*, Opinion No. 98-18 (Nov. 23, 1998).

As a direct result of the above-mentioned efforts, when CATT is fully implemented, CLECs collocated in BA central offices will have access to extremely high-capacity, flat-rated, virtually unlimited bandwidth from MFN. This development should speed the delivery of bandwidth intensive data services to consumers throughout the BA region.

III. The Commission Should Adopt CATT Connectivity as a Best Practice throughout the Nation

MFN submits that the Commission should adopt CATT connectivity as a Best Practice and make CATT connectivity available throughout the nation. In so doing, the Commission would encourage the development of a competitive interoffice transport market, which will provide CLECs with immediate and unrestricted bandwidth connectivity in all regions of the country.

In its recent *Collocation Order*, the Commission held that “deployment by any incumbent LEC of a collocation arrangement gives rise to a rebuttable presumption ... that such an arrangement is technically feasible.”³ As the Commission explained:

[A] presumption of technical feasibility, we find, will encourage all LECs to explore a wide variety of collocation arrangements and to make such arrangements available in a reasonable and timely fashion. We believe that this “best practices approach” will promote competition.⁴

³ *Collocation Order* at ¶ 45.

⁴ *Id.*

While CATT connectivity isn't identical to traditional collocation, it is a means by which a competitor can enter ILEC central offices to provide competitive services, such as interoffice transport, and thus the Commission should endorse CATT as a technically feasible, Best Practice throughout the nation.

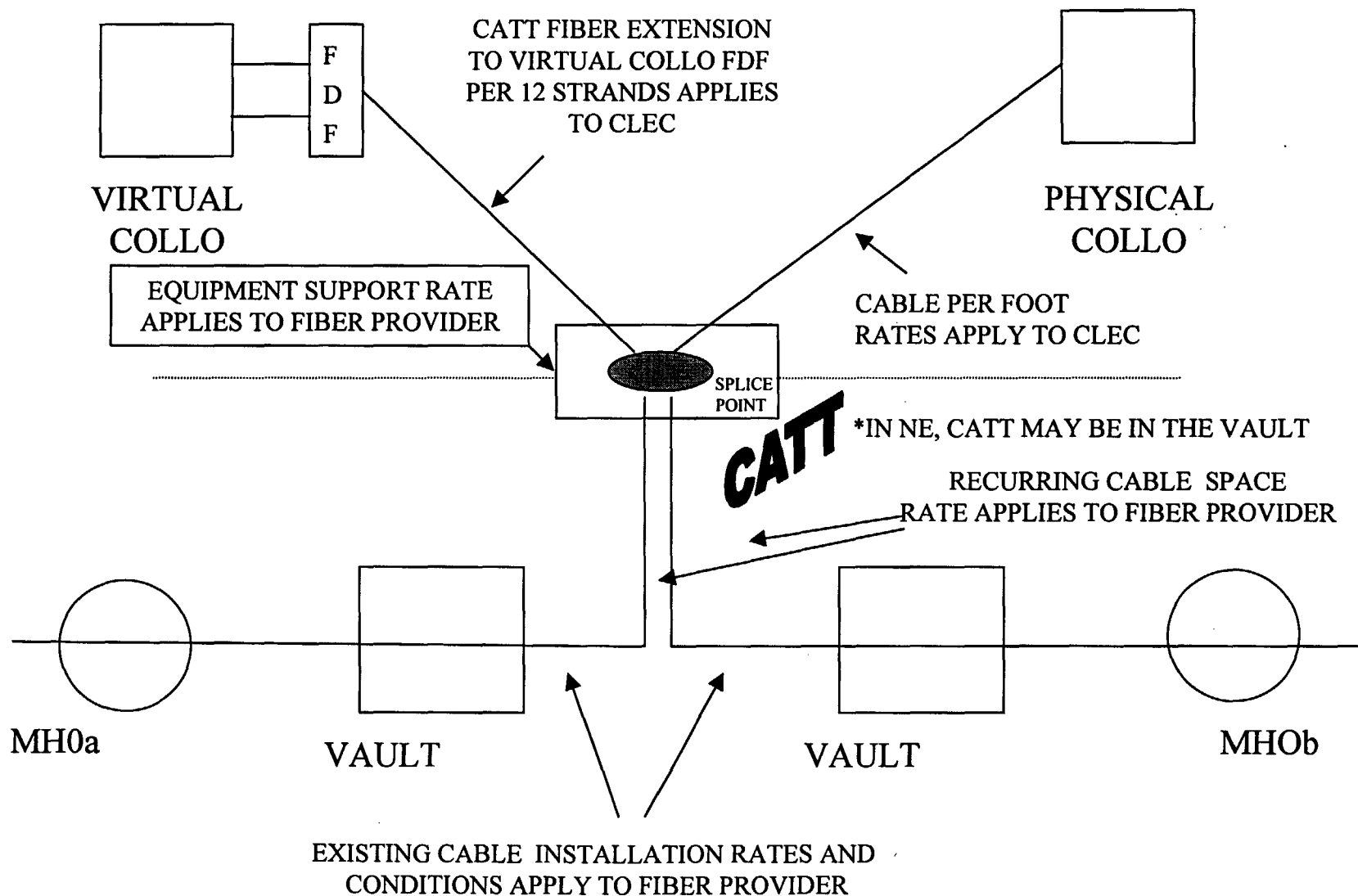
Such a mandate will ensure that competitive carriers have an additional – and highly efficient – means of obtaining access to competitive transport. Such an outcome will also provide further incentive for MFN and other providers of competitive transport to deploy their own state-of-the-art transport facilities across the country.

In addition, the Commission has sought comment on a number of ancillary issues, such as the extent to which UNEs can be combined and the pricing standards for UNEs.⁵ Alternative access methods, such as CATT connectivity, go to the heart of determining whether a given network element or service is available to competitors. Thus CATT and other alternative access methods are integrally related to this proceeding.

To date, MFN has been able to establish agreements with ILECs that allow cage-to-cage connection of dark fiber through collocation. However, under the BA CATT agreement, there is no collocation requirement, which allows MFN to provide interoffice transport to others on MFN's existing fiber infrastructure, which greatly expands the number of central offices that MFN can enter cost effectively.

⁵ In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996 and Interconnection between Local Exchange Carriers and Commercial Mobile Radio Service Providers, CC Docket Nos. 96-98 and 95-185, *Second Further Notice of Proposed Rulemaking*, FCC 97-70, paras. 41-42. (rel. April 16, 1999).

COMPETITIVE ALTERNATE TRANSPORT TERMINAL (CATT)

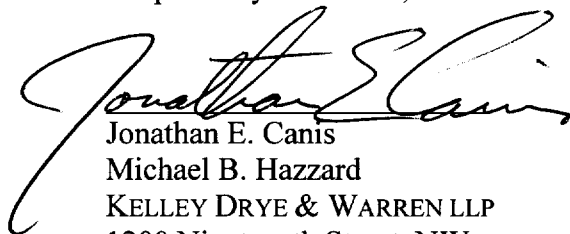


Outside of the BA service territory, the cost of providing connectivity functionally equivalent to CATT is made needlessly more expensive due to the cost of collocating equipment. Requiring collocation also slows service rollout because of the extensive time it takes to establish the multitude of collocation arrangements needed to establish a robust interoffice network. For all of these reasons, the Commission should adopt CATT as a Best Practice and make CATT connectivity available throughout the nation as a technically feasible alternative to collocation.

IV. Conclusion

If implemented properly, the CATT arrangement negotiated between MFN and BA will further develop the competitive market for interoffice transport throughout the BA region. To create this same opportunity in local transport markets throughout the country, MFN respectfully requests that the Commission adopt the CATT arrangement presented herein as a national Best Practice.

Respectfully submitted,



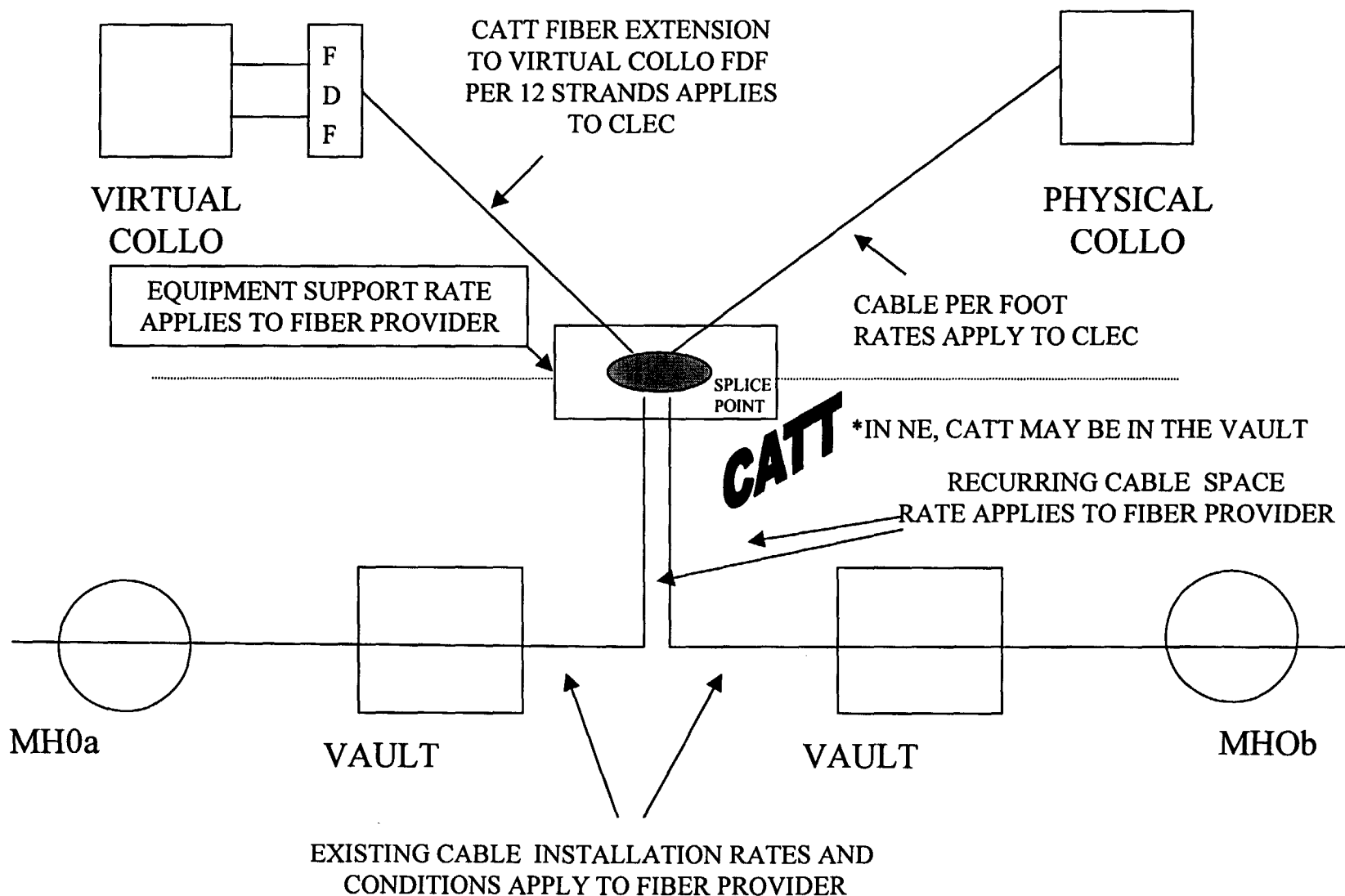
Jonathan E. Canis
Michael B. Hazzard
KELLEY DRYE & WARREN LLP
1200 Nineteenth Street, NW
Washington, DC 20036
Telephone: (202) 955-9600
Facsimile: (202) 955-9792

COUNSEL FOR METROMEDIA FIBER
NETWORK SERVICES, INC.

Dated: May 26, 1999

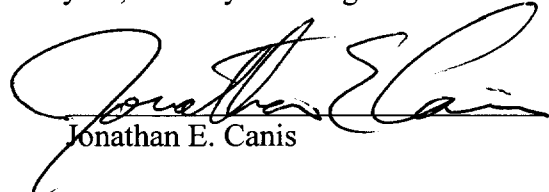
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COMPETITIVE ALTERNATE TRANSPORT TERMINAL (CATT)



CERTIFICATE OF SERVICE

I, Jonathan Canis, hereby certify that copies of the foregoing Comments of the Metromedia Fiber Network, Inc. were served on May 26, 1999 by messenger on the following persons.



Jonathan E. Canis

Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Wanda Harris
CCB Competitive Pricing Division
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

International Transcription Service
1231 20th Street, N.W.
Washington, D.C. 20036

Thomas Power
Legal Advisor
Office of Chairman Kennard
Federal Communications Commission
445 12th Street
Washington, D.C. 20554

Linda Kinney
Legal Advisor
Office of Commissioner Ness
Federal Communications Commission
445 12th Street
Washington, D.C. 20554

Sarah Whitesell
Legal Advisor
Office of Commissioner Tristani
Federal Communications Commission
445 12th Street
Washington, D.C. 20554

Kyle Dixon
Legal Advisor
Office of Commissioner Powell
Federal Communications Commission
445 12th Street
Washington, D.C. 20554

Kevin Martin
Legal Advisor
Office of Commissioner Furchtgott-Roth
Federal Communications Commission
445 12th Street
Washington, D.C. 20554

Lawrence Strickling
Chief – Common Carrier Bureau
Federal Communications Commission
445 12th Street
Washington, D.C. 20554

Carol Matthey
Chief – CCB Policy Division
Federal Communications Commission
445 12th Street
Washington, D.C. 20554

Jane Jackson
Chief – CCB Competitive Pricing
Division
Federal Communications Commission
445 12th Street
Washington, D.C. 20554

Lawrence E. Strickling
Chief
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Jake Jennings
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Jordan Goldstein
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Carol Matthey
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Janice Myles
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Claudia Fox
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Christopher Libertelli
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Michael Pryor
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

ITS
1231 20th Street, N.W.
Washington, D.C. 20036